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HOFFMANN & BARON, LLP			EXAMINER	
6900 JERICHO TURNPIKE				WANG, HARRIS C
SYOSSET, NY 11791			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/743,252	RONEN ET AL.	
	Examiner Harris C. Wang	Art Unit 2139	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 25 June 2007.
- 2a) This action is FINAL.                  2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-25 is/are pending in the application.
  - 4a) Of the above claim(s) 14 and 15 is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-13, 16-25 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 01 February 2007 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

1.

Claims 1-25 are pending

Claim 1 is amended

Claims 14-15 are cancelled

***Response to Arguments***

Applicant's arguments filed 6/25/2007 have been fully considered but they are not persuasive.

The Applicant argues (pg. 9 of Remarks) "The present invention is intended to limit access to files that are downloaded from a database over the Internet to provide security for the files. This is accomplished by limiting access to downloadable files to a predetermined period of time and blocking access after the file is downloaded or the period of time expires."

Applicant further argues that the Examiner's assertion that access to the database for downloading the file is inherently blocked **eventually** after the file has been downloaded, is incorrect. The Applicant supports this by saying "The Examiner's use of the term "eventually" means that the database is accessible for an unknown and possibly extended period of time... 'Eventually' could mean a week, a month, a year or several years. The Applicant's method provides security for downloadable files by allowing access to the files for a predetermined, finite period of time and immediately

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blocking access either after the file is downloaded or after the period of time expires (pg. 9 of Remarks)."

The Applicant's Claim 1 as amended recites the limitation "blocking access to the file for downloading the file after the file has been downloaded or the period of time has expired." The Examiner would like to point out that the claim language claims that access is blocked after the file has been downloaded **or** the period of time expired. The following arguments from the Examiner concern the case "after the file has been downloaded."

Regarding the Applicant's assertion that "eventually" could mean a week, a month, a year or several years, the Examiner agrees. However the claim language "after the file has been downloaded" is so vague that access being terminated "eventually" (by means of a time-out or other system safeguards) lies within the scope of "after the file has been downloaded."

The Applicant argues that the Applicant's method provides security...by "immediately blocking access after the file is downloaded." This is not supported by the claims, originally or as amended. Therefore the Examiner finds the argument that Baltes does not teach immediately blocking access as moot, because it is not claimed.

The Applicant argues that "There is no basis for finding that access to the downloadable file in Baltes is blocked after the file is downloaded (pg. 10)."

The Applicant then argues that The Office action states that: "The Examiner interprets blocking access to the database as terminating the link between the database

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and the router." In a very broad sense, this is correct, but it misinterprets claim 1." The Applicant then describes how "blocking access" as taught by the Applicant is different than the prior art and the Examiner's interpretations in pages 11-13 of Remarks.

Regarding the argument that there is no basis for finding the access to the downloadable file in Baltes is blocked after the file is downloaded, the Examiner claims that blocking of access inherently happens eventually. In other words, in some way or another (whether being time out, or any other means) the connection between a database and user eventually is terminated. The Applicant admits that the Examiner's interpretation of "blocking access" is in a very broad sense correct, but misinterpreted. Because claim language is inspected under the broadest reasonable interpretation, which the Applicant admits is correct; the Examiner maintains the previous argument.

The Applicant then argues that "Bertino limits the validity of authorization for accessing a database to temporal periods, but does not restrict or limit the availability of downloadable files on the database" (pg. 13 of Remarks).

The Applicant further argues that "Bertino's method assumes that the files in the database are accessible at all times. Moreover, once an authorization expires, there is nothing in Bertino's method that prevents an unauthorized user from accessing a file on the database using a different, "unexpired" authorization.

Regarding these arguments, the Examiner does not see how limiting the time that for accessing a database does not restrict or limit the availability of downloadable

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files on the database. If a user cannot access a database, a user cannot download files from the database.

Regarding the Applicant's hypothetical situation where "once an authorization expires, there is nothing in Bertino's method that prevents an unauthorized user from accessing a file on the database using a different, 'unexpired authorization'" the Examiner:

- 1) does not see where in the claim language the Applicant has claimed a method that "prevents an unauthorized user from accessing a file on the database using a different, "unexpired authorization."
- 2) does not see how a user can be "unauthorized" if still possessing a different "unexpired authorization."

The Applicant then argues that "the present invention does not limit the period of time when users can access a database but, instead, limits the period of time when individual files in the database can be accessed for downloading (pg. 14 of Remarks)."

This is simply not supported by the Claim language. The Claim language recites "blocking access to the database for downloading the file after...the period of time has expired." Nowhere in the claim language does the claim mention limiting "the period of time when individual files in the database can be accessed (pg. 14 of remarks)."

Therefore the Examiner finds all of the above arguments unpersuasive and maintains the original rejection, only changing the rejection to Claim 1 as necessitated by the amendment by the Applicant.

***Claim Rejections - 35 USC § 102***

3.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by Baltes (US 2003/0103615).

Regarding Claims 1-3,

Baltes teaches a method for securely downloading files to a managed device, the method comprising the steps of:

selecting a managed device for interfacing with networks or devices over the Internet; (*To access the Internet, customer premises network equipment (CPNE) such as broadband modems, routers, and modem-router combination products require being setup*" Paragraph [0002])

assigning a unique identification number to the device;

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creating a file for the managed device on a database, wherein the file can be downloaded over the Internet to the managed device; (*"a method in which a central server may be contacted when configuration information is needed for a broadband communication device. This contact may be initiated via a dial-up modem."* Abstract). The Examiner interprets that the file has inherently been created.

creating an access verification program for downloading the file, wherein the access verification program permits a user of the managed device at a remote location to access the file over the Internet by entering the unique identification number, and wherein the access verification program permits the user to download the file over the Internet for a period of time; receiving an identification number by from the user; verifying that the identification number received from the user is the same as the unique identification number; (*"The central server then determines who the customer is through an identification of the source of the communication...The central server is able to access a number of databases that contain configuration information for the customer."*)

*Paragraph [0019] lines 1-3, Paragraph [0020] lines 1-3)*

permitting access to the database by the user for downloading the file for a period of time; downloading the file from the database to the managed device; and blocking access to the database for downloading the file after the file has been downloaded or the period of time has expired. (*"The central server downloads the configuration information from the database. Then, it transfers the configuration information over the dialup communication link. Once the configuration information is at the broadband communication device, the broadband communication device may use the information to configure itself."* Paragraph [0021])

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The Examiner notes that all routers inherently are assigned identification numbers/serial numbers. The Examiner also notes that access to the database for downloading the file is inherently blocked eventually after the file has been downloaded.

Regarding Claim 2, the Examiner interprets configuration information as configuration file. Regarding Claim 3, a router is included in the list of devices, where the access to the database for downloading the file is inherently blocked after the file has been downloaded.

The Examiner interprets blocking access to the database as terminating the link between the database and the router.

Regarding Claim 4,

Baltes teaches the method for securely downloading files to a managed device according to claim 1, wherein the unique identification number is the serial number of the managed device. (*“Furthermore, a broadband communication device serial number may be provided to the central server.” Paragraph [0019]*)

***Claim Rejections - 35 USC § 103***

4.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baltes in view of Bertino's paper "A Temporal Authorization Model" (1994).

Regarding Claims 6,

Baltes teaches the method for securely downloading files to a managed device according to claim 1.

However Baltes does not teach that the period of time is predetermined.

Bertino teaches "a discretionary access control model in which authorizations contain temporal information. This information can be used to specify temporal intervals of validity for authorizations and temporal dependencies among authorizations (Abstract)"

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Baltes with the teachings of Bertino

The motivation to combine is that Bertino teaches a well known technique in access control which teaches limiting authorization using temporal constraints.

Baltes and Bertino do not explicitly teach that downloading is the access mode, or privilege, for which authorization is granted.

It would have been obvious to one of ordinary skill in the art at the time of the invention to include downloading as a privilege in the Access Control model of Bertino.

The motivation is the right to download is a well-known right in Access Control models.

Regarding Claim 7,

Baltes teaches the method for securely downloading files to a managed device according to claim 1.

However Baltes does not teach that the period of time is less than 4 hours.

Bertino teaches "a discretionary access control model in which authorizations contain temporal information. This information can be used to specify temporal intervals of validity for authorizations and temporal dependencies among authorizations (Abstract)"

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Baltes with the teachings of Bertino

The motivation to combine is that Bertino teaches a well known technique in access control which teaches limiting authorization using temporal constraints.

Baltes and Bertino do not explicitly teach that downloading is the access mode, or privilege, for which authorization is granted.

It would have been obvious to one of ordinary skill in the art at the time of the invention to include downloading as a privilege in the Access Control model of Bertino.

The motivation is the right to download is a well-known right in Access Control models.

Baltes and Bertino also do not explicitly teach where the time limit is less than four hours.

It would have been obvious to one of ordinary skill in the art at the time of the invention to limit the time interval of Bertino to less than hour hours.

The motivation for the time period to be less than 4 hours is acclimate users requirement.

Regarding Claim 8,

Baltes teaches the method for securely downloading files to a managed device according to claim 1.

However Baltes does not teach that the period of time is less than 1 hour.

Bertino teaches “a discretionary access control model in which authorizations contain temporal information. This information can be used to specify temporal intervals of validity for authorizations and temporal dependencies among authorizations (Abstract)”

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Baltes with the teachings of Bertino

The motivation to combine is that Bertino teaches a well known technique in access control which teaches limiting authorization using temporal constraints.

Baltes and Bertino do not explicitly teach that downloading is the access mode, or privilege, for which authorization is granted.

It would have been obvious to one of ordinary skill in the art at the time of the invention to include downloading as a privilege in the Access Control model of Bertino.

The motivation is the right to download is a well-known right in Access Control models.

Baltes and Bertino also do not explicitly teach where the time limit is less than one hour.

It would have been obvious to one of ordinary skill in the art at the time of the invention to limit the time interval of Bertino to less than hour hours.

The motivation for the time period to be less than 1 hour is acclimate users requirement.

Claims 5, 9-13, 16-17, 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baltes in view of Mehler (US 2002/0179709)

Regarding Claims 5, 9-13

Baltes teaches the method for securely downloading files to a managed device according to claim 1. Particularly Baltes teaches a “serial number may be provided to the central server” Paragraph [0019].

However Baltes does not teach further comprising selecting a portable device for reading the unique identification number, where the device may be a bar code scanner. Additionally Baltes does not teach a password being entered into the portable device. Finally Baltes does not teach the combination of the password and ID to be downloaded from the portable device to the database.

Mehler teaches a method of “(a) receiving at least one authorized user password associated with a transaction code; (b) receiving at least one single-use code carrier bearing a transaction code...printed thereon in an optically readable digital code (c) presenting the code carrier and the password for verification in order to receive authorization” (Paragraph [0028]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the method of Baltes with the teachings of Mehler.

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The motivation to combine is for "securely carrying out a...transaction. (Paragraph [0028])"

The Examiner interprets that the step of presenting the code carrier and the password for verification as downloading the ID number and password from the portable device to the database. The Examiner interprets that if a password is received it must inherently first been assigned.

#### Regarding Claims 16-17 and 21-24

Baltes teaches all the limitations of Claim 16 (See Regarding Claim 1) including the use of a serial number (See Regarding Claim 4), with the exception of assigning a unique password to the router, receiving a password from the user, and verifying the password received by the user. Baltes teaches all the limitations of Claim 21-23 except for the ID and password being read by a barcode scanner which is then downloaded to the router to the database.

Mehler teaches a method of "(a) receiving at least one authorized user password associated with a transaction code; (b) receiving at least one single-use code carrier bearing a transaction code...printed thereon in an optically readable digital code (c)

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presenting the code carrier and the password for verification in order to receive authorization... (d) receiving verification of a match between the transaction code and the transaction account and verification of the password" (Paragraph [0028]). The Examiner interprets that the password has inherently been assigned to the router.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the method of Baltes with the teachings of Mehler.

The motivation to add an additional password is for additional security. The motivation to use a barcode scanner and download the ID and password to the database is to provide a way to read provide verification.

Concerning Claim 24, the access to the database is inherently terminated after the file is downloaded.

Claims 18-20 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baltes in view of Mehler as applied to claim 16 above, and further in view of Bertino.

Regarding Claims 18-20 and 25

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All the limitations of Claim 18-20 and 25 are anticipated in the rejection of claim 16, except that the period of time is predetermined.

Bertino teaches "a discretionary access control model in which authorizations contain temporal information. This information can be used to specify temporal intervals of validity for authorizations and temporal dependencies among authorizations (Abstract)"

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Baltes with the teachings of Bertino

The motivation to combine is that Bertino teaches a well known technique in access control which teaches limiting authorization using temporal constraints.

Baltes and Bertino do not explicitly teach that downloading is the access mode, or privilege, for which authorization is granted.

It would have been obvious to one of ordinary skill in the art at the time of the invention to include downloading as a privilege in the Access Control model of Bertino.

The motivation is the right to download is a well-known right in Access Control models.

It is inherent that downloading will be blocked if there is a time limit for downloading.

### ***Conclusion***

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**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harris C. Wang whose telephone number is 5712701462. The examiner can normally be reached on M-F 8-5:30, Alternate Fridays Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, AYAZ R. SHEIKH can be reached on (571)272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HCW

  
AYAZ SHEIKH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100